

Michigan Commission of Agriculture Meeting
Grand Traverse Resort, Club Room A, Trillium Area
Top of the Tower, 100 Grand Traverse Village Boulevard
Traverse City, Michigan
(Held in conjunction with the Michigan Farm Bureau Annual Meeting)

MEETING MINUTES
December 7, 2000

PRESENT:

James Maitland, Chair, Commission of Agriculture
Jordan Tatter, Vice-Chair, Commission of Agriculture
Douglas Darling, Commission of Agriculture
Shirley Skogman, Secretary, Commission of Agriculture
Deanna Stamp, Commission of Agriculture
Dan Wyant, Director, Michigan Department of Agriculture

OTHERS PRESENT *(All or part of the meeting):*

Michigan Department of Agriculture Staff
Ron Zellar, Assistant Attorney General
Rob Anderson, Michigan Farm Bureau
Wayne Bancroft, Michigan Milk Producers Association
Dr. Bill Bickert, MSU Agriculture Engineering
Ernie Birchmeier, Michigan Farm Bureau
Monte Bordner, Sturgis, Michigan
Charles Courtade, Dairy Farmers of America
Amy Frankmann, Michigan Nursery and Landscape Association
David and Kathleen Hawkins, MI Beef Industry Commission/MI Cattlemen's Association
Fred Hinkley, MSU Extension, Ogemaw County
Dr. Maynard Hogberg, Michigan State University
Dr. Lonnie King, Michigan State University
Dr. Gary Koester, Michigan Veterinary Medical Association
Fred Leitz, Jr., Sodus, Michigan
John Lindley, Representative Dale Sheltrown's Office
Ronald Nelson, Michigan Farm Bureau
Peter Prescott, Michigan Veterinary Medical Association
Natalie Rector, MSU Extension/Southwest Region
Dr. Steve Schmitt, Wildlife Veterinarian, Department of Natural Resources
Kevin Small, West Branch Feeder Cattle
Fred Springborn, MSU Extension/West Central Region

CALL TO ORDER AND ROLL CALL

Chair Maitland called the meeting of the Commission of Agriculture to order at 1:00 p.m. on Thursday, December 7, 2000. The roll was called with Director Wyant and all Commissioners present.

APPROVAL OF AGENDA

MOTION: COMMISSIONER TATTER MOVED TO APPROVE THE DECEMBER 7, 2000, AGENDA AS PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF NOVEMBER 1-2, 2000 MEETING MINUTES

MOTION: COMMISSIONER TATTER MOVED TO APPROVE THE NOVEMBER 1-2, 2000, MEETING MINUTES AS PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.

NEXT MEETING

The next regular meeting of the Commission of Agriculture is scheduled for Wednesday, January 17, 2001, in the Michigan Department of Agriculture, Pridgeon Conference Room, 4th Floor, Ottawa State Office Building, 611 West Ottawa Street, Lansing, Michigan.

APPROVAL OF DIRECTOR'S OUT-OF-STATE TRAVEL

MOTION COMMISSIONER DARLING MOVED TO APPROVE DIRECTOR WYANT'S TRAVEL ON DECEMBER 12, 2000, TO ATTEND A NASDA FOOD SAFETY COMMITTEE MEETING IN SYRACUSE, NEW YORK, AND JANUARY 23, 2001, TO ATTEND A MIATCO EXECUTIVE COMMITTEE MEETING IN CHICAGO, ILLINOIS. SECONDED. MOTION CARRIED UNANIMOUSLY.

COMMISSIONERS' COMMENTS

Commissioner Jordan Tatter reported that removal of high value, individual apple trees and apple orchards infected with fireblight continues. The out-of-pocket payout expenditures of several individual apple growers in southwest Michigan now exceeds the total funds paid out by livestock producers in the state resulting from bovine tuberculosis, due to public funds protecting livestock producers from cash out expenditures. The fireblight event, plus apple prices received in relation to production cost over the past four years, has put our apple industry on the rocks and growers into depression in the southwest corner of the state.

Commissioner Tatter participated in the following events:

Congressman Fred Upton's birthday celebration.

The November meeting of the Michigan Frozen Food Packers Association. Bob Craig of the Office of Agriculture Development explained the new food processing renaissance zone program.

The Michigan Economic and Environmental Roundtable board of directors meeting to discuss land use.

The Michigan Department of Agriculture annual Employee Recognition Ceremony. Commissioners Darling and Tatter presented the Commission of Agriculture Excellence Award to MDA's Plum Pox Virus Survey Team.

The Michigan Farm Bureau Annual Meeting District 1 Breakfast.

The presence of *Potato Wart Disease* in Prince Edward Island, Canada, as well as in Newfoundland, is of serious concern. Disease spores can live for more than 40 years in the soil and there is no chemical control. Michigan should call on the USDA to ban all import products from Canada that are potential carriers of the disease, if it cannot be done by state action. Fruit, vegetables, timber and livestock, as well as potatoes, can carry the disease. *Potato Wart Disease* is devastating and is not found anywhere in the United States.

Commissioner Tatter thanked Michigan Farm Bureau President Jack Laurie for his years of dedicated service to Michigan agriculture and for his leadership of the Michigan Farm Bureau. Commissioner Tatter wished Mr. Laurie well in his new endeavors with MSU in furthering the state's agriculture.

Commissioner Shirley Skogman attended two county Farm Bureau meetings and two soil conservation district annual meetings. Many voiced concern and question about the payout to farmers for bovine tuberculosis. Some also questioned how the money Michigan received for bovine tuberculosis is being spent. Commissioner Skogman believes that the assistance issue needs to be clarified.

Commissioner Skogman participated in the annual seed potato meeting held in Las Vegas, Nevada. There are many serious issues facing the potato industry. Potato growers believe that by next year they will be out of business due to the lack of markets. She noted that two Canadian experts attended the meeting to discuss *Potato Wart Disease* in Canada. Commissioner Skogman said this could be devastating for the U.S. and some type of quarantine is warranted.

Commissioner Deanna Stamp attended an industry meeting on November 16, 2000 regarding MDA's budget for eradicating bovine tuberculosis. At that meeting, there was a lot of concern that farmers may not receive compensation for their assistance in getting animals tested. She also has received letters and phone calls from veterinarians who are concerned that their fees might be cut. Commissioner Stamp believes that aggressive goals have been set for eradicating bovine TB and it is critical in accomplishing those goals to provide the needed assistance to farmers and veterinarians. In that process, the value of the farmers must be recognized in reaching those goals. This disease is not only a threat to livestock and wildlife, but also a threat to humans.

Commissioner Stamp said there would be a series of meetings held this winter concerning the Michigan Environmental Assurance Program. This is a program developed through the cooperation of MDA, Michigan Farm Bureau, MSU and other organizations to help farmers develop a comprehensive nutrient management plan for their farms. It also will provide important education critical to Michigan's livestock industry. She commended MDA for its efforts in developing this program and urged all livestock producers to participate in the program. If a voluntary process can continue in Michigan, it will help to ensure the public that agriculture can do its share in protecting the environment. It also will help reduce or eliminate the cost to farmers of going to a federal regulatory permitting process. Commissioner Stamp believes that a federal process only forces farmers to get bigger so they can afford to comply.

Commissioner Douglas Darling enjoyed the opportunity to participate in this week's Michigan Farm Bureau's annual meeting. Commissioner Darling also attended the Michigan Department of Agriculture Employee Recognition Ceremony held on December 1, 2000. He noted that Gordon Wenk received the *MDA 2000 Employee of the Year* award, which was well deserved. He also participated in the MDA Christmas Party and auction

where over \$1,000 was raised for Lansing's Walnut Street School. He commended MDA employees for their generosity.

Commissioner Darling reported that 98 percent of the crops are out of the field. Yields were above average, but not to the level of the last two years. In discussions with farmers and neighbors, many raised the issue of ethanol, bovine tuberculosis indemnification, and compensation to the producers. He attended a township meeting where a discussion was held about purchase of development rights. He also attended the county farm bureau banquet at which questions were raised about the groundwater stewardship program and the Clean Sweep program.

Chair James Maitland expressed his regrets for not being able to attend the MDA Employee Recognition Ceremony due to a previous commitment. He expressed appreciation to Commissioners Darling and Tatter for representing the Commission at the event. Fruit movement in cherry and apples has been slow, which is typical for this time of year. There continues to be concern in the fruit industry in northern Michigan about where the industry is headed. Chair Maitland noted that the Northwest Michigan Horticultural Show would be held in Traverse City in January.

UPDATE ON BOVINE TUBERCULOSIS: Dr. H. Michael Chaddock, State Veterinarian and Director of the Animal Industry Division

Dr. H. Michael Chaddock, State Veterinarian and Director of the Animal Industry Division provided an update on Michigan's bovine tuberculosis situation. Since the last Commission meeting, there have been no new confirmed cases of bovine tuberculosis in livestock, but statewide testing continues. All dairy herds have been tested in the northeast Michigan quarantine area, with 25 percent completed statewide. All herds, under the Pasteurized Milk Ordinance, must have their first whole herd test by June 22, 2001.

Dr. Chaddock said that the Animal Industry Division's TB Unit currently has 35 fulltime employees but vacancies still need to be filled. Bovine Tuberculosis regional offices will be opened in Traverse City, Escanaba, Grand Rapids and Saginaw. There already is a regional office in Atlanta, Michigan.

Commissioner Skogman asked about the status of testing in the Upper Peninsula.

Dr. Chaddock replied that testing continues with progress being made. The goal is to have all dairy herds tested by spring.

Commissioner Tatter asked about the necessity of having the same veterinarian who does the caudal fold testing to read the test 72 hours later.

Dr. Chaddock responded that in order for it to be an official test, the same veterinarian who administered the test must read the test. The reason is that each veterinarian would perform the test slightly different and in order to be consistent and have a more accurate reading, that same veterinarian should observe and feel the site.

DISCUSSION OF BOVINE TUBERCULOSIS ERADICATION ASSISTANCE PROGRAM: Dr. H. Michael Chaddock, State Veterinarian and Director of the Animal Industry Division

Dr. H. Michael Chaddock, State Veterinarian and Director of the Animal Industry Division, distributed and reviewed information about the Bovine Tuberculosis Eradication Assistance Program.

A legislative review committee was appointed by Director Wyant earlier in the summer to review amendments to the Animal Industry Act (PA 466). The committee also reviewed proposed assistance programs for producers, livestock saleyards and veterinarians. A number of focus groups were brought together to develop a recommendation for a Bovine Tuberculosis Eradication Assistance Program.

Dr. Chaddock said that MDA, after receiving advice and consultation from the industry and veterinary profession, recommends the following:

Assistance to Producers: *\$3.00 per animal tested for bovine TB when a whole herd test is conducted and when testing is required by the state.*

Assistance to Livestock Saleyards: *One time 50/50 cost share for animal handling equipment up to \$7,500 per saleyard. Funding would be for up to 20 saleyards.*

Assistance to Veterinarians: *One time 50/50 cost share for animal handling equipment up to \$3,750 per veterinarian. Funding would be for up to 75 veterinarians.*

The assistance is recommended to be retroactive to January 1, 2000, by statute.

Director Wyant emphasized the need for a producer assistance program, but MDA has a responsibility not to over-commit to what can be delivered. This proposal is one that the department can operate within under the current budget. Director Wyant added, however, that MDA has been asked by industry to approach the Legislature to seek additional funding for an assistance program. The Director is willing to make that effort. However, in the meantime, Director Wyant is recommending that the Commission move forward and adopt the proposed assistance program as presented today.

PUBLIC COMMENT – BOVINE TUBERCULOSIS ERADICATION ASSISTANCE PROGRAM

Dr. Gary Koester, Food Animal Veterinarian, Cadillac, and Chairman of the Food Animal Practice Committee of the Michigan Veterinary Medical Association. Dr. Koester served on the bovine tuberculosis advisory committee that was appointed by Director Wyant. He said that MDA has once again taken on the monumental task of eradicating bovine TB, a process that took over 50 years earlier in the century. This is a problem that needs quick action and the department, Governor and Legislature recognized that need and appropriated \$35.8 million. However, at the time the funds were appropriated, only rough estimates were available of the total cost for such a program.

Beginning in April and continuing through the fall of this year, MDA sought the input and guidance from the livestock industry in the development of a program, with the goal being eradication of bovine TB from livestock. The result of this collaboration is the changes to PA 466, signed by Governor Engler. Over the summer, as statewide testing began and as

changes were made to PA 466, the Animal Industry Division worked closely with the USDA and the livestock industry making adjustments and fine tuning the plan. Only toward the end of this process, could the division more accurately define funding needs based on program requirements.

Director Wyant, Dr. Chaddock and Kevin Kirk met with livestock industry stakeholders on November 16, 2000, to review the financial status of the bovine TB program. Director Wyant stated at that meeting that the program to date was proceeding as expected, but that if producer, saleyard and veterinary assistance programs were instituted as required by the Act, at the payment levels outlined by the advisory committee, the program would experience a shortfall. The Director suggested that the committee look for ways to trim the budget. The TB program is working very well, due to the tremendous cooperative efforts of the Animal Industry Division, the livestock producers, and veterinarians involved. Producers and veterinarians have operated under the assumption that funding for both assistance programs as recommended by the TB advisory committee, and the fee basis testing at the levels instituted by MDA, would continue unchanged. An attempt to balance the budget by cutting funding in these areas would jeopardize the entire program.

By and large, most producers view testing as something that must be done and they are getting on with it. Without exception, however, producers see this as a deer TB problem, and unless or until the people of the state of Michigan take positive, logical and effective steps to eradicate bovine tuberculosis, and not just control TB in the deer herd, the people of the state of Michigan had better be prepared to pay for the losses incurred in the testing process. If the DNR were to implement a plan with a goal of eradication, producers would be perhaps a little bit more altruistic. As it is, they see no light at the end of this TB tunnel. Producers' costs must be covered.

In March, MDA appealed to the veterinary community for assistance by sending a letter to each accredited veterinarian in the state. The veterinary community responded in admirable numbers. Over 300 veterinarians attended TB training sessions and most of them have been heavily involved in testing since.

TB testing is not glamorous work. Dr. Koester said his day began at 2:30 a.m. to drive 60 miles in order to be on the farm to read TB tests with his technician when milking begun at 4:00 a.m. He spent six hours working around the back end of cows and drove back to Cadillac and still had two and one-half hours of paperwork to do and a chute to clean up when he got back. Dr. Koester said he is saying this because he wants the Commission to understand that this is not a job he would necessarily seek out. He has a regular day job. TB testing is tiring, dirty, dangerous work. Twice his technicians have been injured and had to make trips to the emergency room.

As Dr. Koester talks with other veterinarians, he has learned that they are all in the same boat. The story he related happens over and over. At the same time, everyone realizes that this is a job that needs to be done and we will do what we have to do to get it done. Private practitioners are the logical choice to perform this work. They are a credible work force that is regulated by the state and is readily available. They understand cow flow on the farms, individual producer abilities, and as such make the process much less painful for the producer. This close alliance with producers allows the veterinarian to serve as a buffer between the producer and the MDA; thereby promoting producer cooperation. When producers are unhappy with the program, their veterinarian is the first to hear about it. This is a program that is working.

Compensation for fee basis testing must continue at current levels to ensure the private practitioner participation that will be needed over the next three years and beyond. At the November 16 meeting stakeholders, including representatives from the Michigan Milk Producers Association, Dairy Farmers of America, Michigan Cattlemen's Association, Michigan Farm Bureau, livestock saleyards, the captive cervidae industry, and the veterinary profession, concluded that the answer to the budgetary shortfall lies not in cutting funding, but in procuring additional funds through legislative appropriations.

The Michigan Veterinary Medical Association supports such an effort.

Monte Bordner representing the Michigan Cattlemens' Association served on the advisory committee that rewrote PA 466. He believes that Director Wyant has adequately framed the problem. As a producer, he views this problem as one not of our making and something agriculture will be facing for a long time into the future.

The committee grappled with the producer assistance dollar figure. Producers have been testing for more than a year under the assumption that producers would receive compensation for the time spent. Early in the process, a figure of \$3,000 per facility was discussed. At that time, we thought we were dealing with a problem in 11 counties. We now fully understand it is a much bigger problem.

Mr. Bordner stated that he has a problem with the numbers presented here. A \$3,000 figure per farm was quoted a year ago, and the dollars were not available at that time either. The committee knew the funding was not there, so it backed away from that \$3,000 amount. It was the producers that suggested \$3.00 per head and \$50.00 per farm as an equitable answer.

He also attended the November 16 meeting and the dairy farmers present indicated they had already been through the testing process. His herd is scheduled for testing next week, and he will lose at least six days of off-farm work. The \$3.00 per head and \$50.00 per farm does not cover the amount he will be losing from his work in town. He has to work off the farm because of the much bigger economical problem on the farm. Producers are under extreme economical pressure.

The Michigan Cattlemen's' Association supports \$3.00 per head and \$50.00 per farm. There are very few full-time beef operators in Michigan. They will have to take off from their day jobs in order to assist in getting their cattle tested. This is a Michigan problem, but it has squarely landed on the Department of Agriculture.

Commissioner Tatter stated that he was unaware of a proposal to pay \$3,000 per facility.

Commissioner Stamp answered that there was informal discussion of that amount during one of the teleconferences that occurred last year.

Director Wyant added that \$3,000 was also discussed in a workgroup when split state status was an issue. He agreed with Mr. Bordner that producers need to see some value in the amount of time and effort they are required to give in solving this problem.

Mr. Bordner suggested that a \$10 surcharge be placed on every hunting license sold to pay for the bill, or possibly a tax on deer bait. These are not the farmer's deer, they are the state's deer. Testing will be going on for a very long time.

Commissioner Darling added that some have suggested placing a bounty on deer. In any case, this is not a livestock issue, not a deer issue, it is a disease issue.

Ronald Nelson of the Michigan Farm Bureau referred to a November 21, 2000 letter sent to the Commission about this compensation issue. He commended the Director and department for a great job in addressing the compensation issue. It is important that a decision be made today.

Wayne Bancroft of the Michigan Milk Producers Association said the bovine tuberculosis issue is not helping dairy farmers during the current economic problems the industry is facing. The \$3.00 per head is not enough. He said that when his herd is tested this winter, he will have to hire additional help and the \$3.00 per head will not cover that cost.

Chuck Cortade of the Dairy Farmers of America supports the \$3.00 per head amount and additional funds in the future. He added that there is danger involved in testing. One of their producers was killed by a bull when rounding up his cattle for testing. Veterinarians and producers are at risk.

MOTION: COMMISSIONER DARLING MOVED TO APPROVE THE BOVINE TUBERCULOSIS ERADICATION ASSISTANCE PROGRAM AS PRESENTED. SECONDED.

Discussion: Commissioner Tatter stated for the record that this is the first time the Commission has been in a position to take this action.

Commissioner Stamp said that the door cannot be closed on approaching the Legislature in helping to meet the true costs.

Commissioner Darling noted that producers should be aware that whenever the opportunity presents itself, Director Wyant, MDA staff, and the Commission discuss this issue with legislators.

MOTION CARRIED UNANIMOUSLY.

DISCUSSION OF ESTABLISHING AN AREA BOUNDED BY I-75 TO THE WEST AND M-55 TO THE SOUTH AND LAKE HURON TO THE EAST AND THE STRAITS OF MACKINAC TO THE NORTH AS A HIGH RISK AREA FOR BOVINE TUBERCULOSIS AS DEFINED IN THE ANIMAL INDUSTRY ACT (PA 466 OF 1988): Dr. H. Michael Chaddock, State Veterinarian and Director of the Animal Industry Division

Dr. H. Michael Chaddock, State Veterinarian and Director of the Animal Industry Division, distributed information about establishing an area bounded by I-75 to the west and M-55 to the south and Lake Huron to the east and the Straits of Mackinac to the north as a high risk area for bovine tuberculosis as defined in the Animal Industry Act (PA 466 of 1988).

After discussion, Director Wyant recommended that MDA meet with MSU and USDA to review current information before a decision is made. MDA staff will work with the appropriate parties to ensure that scientific data is available that supports a decision.

PUBLIC COMMENT ON ESTABLISHING A HIGH RISK AREA:

Fred Hinkley, MSU Extension Director, Ogemaw County read the definition of high risk area from Section 9 of the Act: *"A high risk area means an area where bovine tuberculosis has been diagnosed in the livestock."* He said Ogemaw, Roscommon, and Cheboygan counties have not had incidence of a positive bovine tuberculosis diagnosis. None of the buffer counties have had any diagnosed TB in the livestock industry. This is also true for Iosco, Otsego and Crawford counties. It is well contained in the livestock industry at this stage of the game.

Mr. Hinkley said that the designation of a high risk area should be withdrawn. The West Branch Cattle Sale and the producers who sell their calves through the annual sale have been penalized by association with the designation as a "TB quarantined area." The Animal Industry Act was intended to place the entire state on a even playing field and not discriminate. All attempts should be made to be proactive and for this reason these counties should not be included in the high risk area. This is a sale that has been going on for over 50 years and is a part of the economic industry in Ogemaw County.

Chair Maitland asked Dr. Chaddock for a definition of *"potential high risk area."*

Dr. Chaddock said that a potential high risk area is an area where bovine tuberculosis has been diagnosed in wild animals only. The counties of Oseola, Mecosta, Antrim are counties where deer were found with bovine tuberculosis last year. The Act directs MDA to go into the area within six months to test all livestock. This has been done in these three counties.

Kevin Small of the West Branch Feeder Calf Association supports the comments of Mr. Hinkley. The M-55 corridor is an agricultural corridor. There are numerous producers who own property on both sides of the highway. This presents a severe strain on those producers and they have been penalized enough through association with the designation as a TB quarantined area.

John Lindley, legislative assistant to Representative Dale Sheltrown, distributed and read a letter from Representative Sheltrown voicing concerns about the establishment of a high risk area bounded by M-55 and I-75. Representative Sheltrown stated that Ogemaw, Roscommon and Cheboygan counties should be excluded from this area.

Chair Maitland agreed with Director Wyant's recommendation that a decision be postponed until the next Commission meeting at which time the department will provide additional data.

UPDATE ON MSU BOVINE TUBERCULOSIS RESEARCH ACTIVITIES: Dr. Lonnie King of Michigan State University

Dr. Lonnie King, Dean of the College for Veterinary Medicine at Michigan State University, reviewed MSU's bovine tuberculosis research activities.

Dr. King said the bovine tuberculosis research include three areas: the hosts, which are the dairy cattle, feeder cattle, and deer; the agent which is the microbacterium; and the environment. As research continues and programmatic decisions are made, these three areas must be taken into consideration. The only way that research can be effective is through a comprehensive integrated response. MSU's goal is to provide the research that will solve

the right problems with the highest priority and in the right sequence. This is what needs to be done to achieve eradication. Research is the arm to help everyone involved make better decisions. The partnership between MSU, MDA, DNR, Michigan Department of Community Health, and USDA is critical.

There are five projects that MSU will be focusing on:

- Analysis and concern of the standard host range.
- Methods of transmission.
- Dynamics in wildlife populations.
- Economics and Human Dimensions.
- Risk Factor Analysis.

Dr. King distributed copies of a list of MSU TB researchers.

Commissioner Darling asked about the transmission of the disease on a sun-dried product, such as hay.

Dr. King said research continues, but the risk is very low.

UPDATE ON TB SURVEILLANCE ACTIVITIES: Dr. Steve Schmitt, Wildlife Veterinarian, Michigan Department of Natural Resources

Dr. Steve Schmitt, Wildlife Veterinarian, Michigan Department of Natural Resources, distributed and reviewed information about the DNR's TB surveillance activities. Dr. Schmitt also distributed a picture of the new deer head handling facility located at Rose Lake. This facility is a safer environment and it can handle more deer heads. The facility opened on November 19, 2000, and staff examined 3,500 deer heads that day, with another 1,700 the next day. Once the new Animal Health Diagnostic Laboratory opens, the DNR staff will move to that facility.

Dr. Schmitt provided the following information:

For the period of January 1 through December 5, 2000, 22,543 deer heads were tested statewide, which is above the 17,000 goal. DNR is still working to meet county goals (65 of 83 counties have met their goal). More deer are needed from Emmet, Cheboygan, Charlevoix and several other northern counties. Out of the 22,543 deer examined and tested, there have been 40 suspects. Past data indicates that 96 percent of those will end up being infected.

DNR has tested 929 carnivore type animals, representing 13 different species. These carnivores are from the I-75/M55 area. There have been 16 positive tests to date.

Chair Maitland expressed his appreciation to the hunters who voluntarily turned in deer heads for testing.

Commissioner Darling expressed his appreciation to the DNR for the amount of work it has performed on the bovine tuberculosis issue.

APPROVAL OF THE RATE SCHEDULE FOR RENTAL OF BUILDINGS AND GROUNDS AT THE UPPER PENINSULA STATE FAIR: Barbara Hensinger, Director of the Fairs, Exhibitions and Racing Division

Barbara Hensinger, Director of the Fairs, Exhibitions and Racing Division, reviewed the "Rate Schedule for Rental of Buildings and Grounds at the Upper Peninsula State Fair," submitted by the Upper Peninsula State Fair staff for Commission approval. The Upper Peninsula State Fair Board has reviewed and approved the recommended rates.

MOTION: COMMISSIONER SKOGMAN MOVED TO APPROVE THE RATE SCHEDULE FOR THE RENTAL OF BUILDINGS AND GROUNDS AT THE UPPER PENINSULA STATE FAIR AS PRESENTED. SECONDED.

Discussion: Commissioner Tatter asked if the U.P. State Fair storage rental rates compare with the local community storage rentals.

Ms. Hensinger replied that other vendors in the community do not offer the same type of storage. The storage rental rates at the fair are less, but the stored items must remain in the facilities until April of 2001.

MOTION CARRIED UNANIMOUSLY.

APPROVAL TO REVISE RULES PURSUANT TO PA 164 OF 2000 (HORSE RACING LAW): Barbara Hensinger, Director of the Fairs, Exhibitions and Racing Division

Barbara Hensinger, Director of the Fairs, Exhibitions and Racing Division, distributed Regulation 808, Standardbred Breeders' Awards; Regulation 812, State Purse Supplements for Harness Horse Racing at Fairs and Licensed Pari-Mutuel Tracks; Regulation 814, Michigan and Fedele Fauri Futurity Races; Regulation 818, Michigan Sire Stake Races; and Regulation 820, Michigan-Bred Pari-Mutuel Races and requested approval to proceed with the review process pursuant to PA 164 of 2000 (Horse Racing Law).

MOTION: COMMISSIONER TATTER MOVED TO BEGIN THE REVIEW PROCESS PURSUANT TO PA 164 OF 2000 AS REQUESTED. SECONDED. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF COMMISSION 2001 MEETING SCHEDULE: Dave Charney, Commission Liaison

Dave Charney, Commission Liaison, presented the proposed Commission of Agriculture 2001 Meeting Schedule. The proposed schedule is as follows:

January 17	Lansing
February 13	East Lansing
March 7-8	East Lansing
April 11	Lansing
May 16	Lansing
June 13-14	Saginaw
July 10-11	East Lansing
August 23-24	Detroit
September 12	Lansing

October 10 Lansing
November 7-8 Augusta
December 7 Lansing

Chair Maitland requested that the May 16 meeting date be rescheduled to May 15 due to a schedule conflict.

**MOTION: COMMISSIONER DARLING MOVED TO APPROVE THE
REVISED COMMISSION OF AGRICULTURE 2001 MEETING
SCHEDULE AS REVISED. SECONDED. MOTION CARRIED
UNANIMOUSLY.**

UPDATE ON REGIONAL ACTIVITIES: Ernest Abel, Region II Manager

Ernest Abel, Regional II Manager for the Michigan Department of Agriculture, welcomed the Commission to the Traverse City area. MDA divisions located in the Traverse City regional office are the Pesticide and Plant Pest Management Division, Food and Dairy Division, and Environmental Stewardship Division. Currently, the regional office is incorporating the new TB Unit of the Animal Industry Division. The regional office covers the 17 northernmost counties of the Lower Peninsula, plus 15 counties in the Upper Peninsula. A toll free telephone number has been installed for Upper Peninsula residents.

Staff are busy inspecting Christmas trees, especially since the fifth largest Christmas tree grower in the nation is located in the area. There also are 126 other growers for the 480 fields that are inspected. The value of those trees is \$170 million. MDA inspects the Christmas trees to allow them to be shipped out of the quarantine areas. There are two federal quarantines (Pine Shoot Beetle and Gypsy Moth) for which the trees need to be certified. The staff of the Food and Dairy Division is currently working on training and education efforts relating to the new Food Code Law.

PUBLIC COMMENT ON GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES

No public comment was received.

APPROVAL OF GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES (GAAMP) FOR NUTRIENT UTILIZATION: Wayne Whitman, Environmental Stewardship Division

Wayne Whitman of the Environmental Stewardship Division reviewed the proposed changes to the Generally Accepted Agricultural and Management Practices for Nutrient Utilization. Dr. Lee Jacobs of Michigan State University is the chair of the GAAMP task force, but was unable to attend today's meeting.

A public meeting was held on November 16, 2000, to receive comment on the proposed GAAMP. Copies of the comments received were provided to the Commission prior to today's meeting.

MOTION: COMMISSIONER DARLING MOVED TO APPROVE THE GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR NUTRIENT UTILIZATION AS PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES (GAAMP) FOR MANURE MANAGEMENT AND UTILIZATION: Dr. Maynard Hogberg, Michigan State University

Dr. Maynard Hogberg of Michigan State University, chair of the GAAMP task force, reviewed the proposed changes to the Generally Accepted Agricultural and Management Practices for Manure Management and Utilization.

A public meeting was held on November 16, 2000, to receive comment on the proposed GAAMP. Copies of the comments received were provided to the Commission prior to today's meeting.

MOTION: COMMISSIONER TATTER MOVED TO APPROVE THE GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR MANURE MANAGEMENT AND UTILIZATION AS PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.

PRESENTATION OF DRAFT GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES (GAAMP) FOR PESTICIDE UTILIZATION AND PEST CONTROL: Wayne Whitman, Environmental Stewardship Division

Wayne Whitman of the Environmental Stewardship Division presented the draft Generally Accepted Agricultural and Management Practices for Pesticide Utilization and Pest Control. He recommended that the draft GAAMP be made available for public comment prior to the January 2001 Commission meeting.

MOTION: COMMISSIONER SKOGMAN MOVED TO RECEIVE THE GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR PESTICIDE UTILIZATION AND PEST CONTROL AND MAKE IT AVAILABLE FOR PUBLIC COMMENT. SECONDED. MOTION CARRIED UNANIMOUSLY.

APPROVAL TO INITIATE THE DRAFTING OF ADMINISTRATIVE RULES UNDER THE JULIAN/STILLE VALUE-ADDED ACT (PA 322 OF 2000): Robert Craig, Director of the Office of Agricultural Development

Robert Craig, director of the Office of Agricultural Development requested preliminary approval to begin the process of drafting administrative rules under the Julian/Stille Value-Added Act (PA 322 of 2000). Director Wyant would appoint an industry advisory committee to draft the rules.

MOTION: COMMISSIONER TATTER MOVED TO INITIATE THE RULEMAKING PROCESS TO DRAFT ADMINISTRATIVE RULES UNDER THE JULIAN/STILLE VALUE-ADDED ACT (PA 322 OF 2000). SECONDED.

MOTION: COMMISSIONER DARLING MOVED TO APPROVE THE GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR NUTRIENT UTILIZATION AS PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES (GAAMP) FOR MANURE MANAGEMENT AND UTILIZATION: Dr. Maynard Hogberg, Michigan State University

Dr. Maynard Hogberg of Michigan State University, chair of the GAAMP task force, reviewed the proposed changes to the Generally Accepted Agricultural and Management Practices for Manure Management and Utilization.

A public meeting was held on November 16, 2000, to receive comment on the proposed GAAMP. Copies of the comments received were provided to the Commission prior to today's meeting.

MOTION: COMMISSIONER TATTER MOVED TO APPROVE THE GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR MANURE MANAGEMENT AND UTILIZATION AS PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.

PRESENTATION OF DRAFT GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES (GAAMP) FOR PESTICIDE UTILIZATION AND PEST CONTROL: Wayne Whitman, Environmental Stewardship Division

Wayne Whitman of the Environmental Stewardship Division presented the draft Generally Accepted Agricultural and Management Practices for Pesticide Utilization and Pest Control. He recommended that the draft GAAMP be made available for public comment prior to the January 2001 Commission meeting.

MOTION: COMMISSIONER SKOGMAN MOVED TO RECEIVE THE GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR PESTICIDE UTILIZATION AND PEST CONTROL AND MAKE IT AVAILABLE FOR PUBLIC COMMENT. SECONDED. MOTION CARRIED UNANIMOUSLY.

APPROVAL TO INITIATE THE DRAFTING OF ADMINISTRATIVE RULES UNDER THE JULIAN/STILLE VALUE-ADDED ACT (PA 322 OF 2000): Robert Craig, Director of the Office of Agricultural Development

Robert Craig, director of the Office of Agricultural Development requested preliminary approval to begin the process of drafting administrative rules under the Julian/Stille Value-Added Act (PA 322 of 2000). Director Wyant would appoint an industry advisory committee to draft the rules.

MOTION: COMMISSIONER TATTER MOVED TO INITIATE THE RULEMAKING PROCESS TO DRAFT ADMINISTRATIVE RULES UNDER THE JULIAN/STILLE VALUE-ADDED ACT (PA 322 OF 2000). SECONDED.

Discussion: Commissioner Darling asked if a portion of the \$5 million of the revenue deposited into the agricultural development fund would be used for development of the proposed ethanol plant.

Director Wyant responded that legislation has been created to provide for a value-added agricultural development fund. General criteria has been outlined as to what the fund can be used for, and Mr. Craig is requesting to move forward to draft the specific rules on what could be granted under the fund. No applications have been received and no decisions have been made on how these funds will be spent.

Commissioner Tatter asked under what conditions would judgments be made and how priorities would be set.

Mr. Craig said that parameters would be set, but many decisions need to be made prior to bringing the criteria back to the Commission. The types of projects and items considered for grants would be taken into consideration. A point system for criteria and scoring would be developed. All of these issues would be discussed with industry to develop an appropriate system.

Director Wyant noted that the \$5 million is not part of the general fund. If there is money available in the Michigan Clean Air Fund at the close of the fiscal year, the money would be credited to the agricultural development fund. If the money is available, grants and loans can be provided to individuals.

SECONDED. MOTION CARRIED UNANIMOUSLY.

APPROVAL TO PROCEED WITH RULEMAKING PROCESS FOR REGULATION 636 PESTICIDE APPLICATORS AMENDMENTS: Kenneth Rauscher, Director of the Pesticide and Plant Pest Management Division

Kenneth Rauscher, Director of the Pesticide and Plant Pest Management Division, reviewed information regarding proposed amendments to Regulation 636, Pesticide Applicators Amendments. Commission approval is required to proceed with amendments to Regulation 636 (Pesticide Applicators Amendments.) During the past year, an advisory committee comprised of MDA, MSU, and industry met to review Act 451, Part 83 (Pesticide Control Act). As part of the process, the committee also reviewed amendments to Regulation 636.

Commissioner Tatter asked if the amendments would receive public comment.

Mr. Rauscher replied that the amendment would be forwarded to the Office of Regulatory Reform and published in the Michigan Register allowing for opportunity for public comment.

**MOTION: COMMISSIONER TATTER MOVED TO PROCEED WITH AMENDMENTS TO REGULATION 636 (PESTICIDE APPLICATORS AMENDMENTS).
SECONDED. MOTION CARRIED UNANIMOUSLY.**

APPROVAL TO INITIATE THE DRAFTING OF ADMINISTRATIVE RULES UNDER THE MICHIGAN ORGANICS PRODUCT ACT (PA 316 OF 2000): Kenneth Rauscher, Director of the Pesticide and Plant Pest Management Division

Kenneth Rauscher, Director of the Pesticide and Plant Pest Management Division, reviewed the requirement of the Michigan Organics Products Act (PA 316 of 2000) to draft administrative rules. Mr. Rauscher is seeking approval to begin the rulemaking process for organic product certification.

MOTION: COMMISSIONER DARLING MOVED TO INITIATE THE RULEMAKING PROCESS FOR ORGANIC PRODUCT CERTIFICATION. SECONDED. MOTION CARRIED UNANIMOUSLY.

REVIEW OF MDA ORCHARD REMOVAL DECISION CRITERIA: Kenneth Rauscher, Director of the Pesticide and Plant Pest Management Division

Kenneth Rauscher, Director of the Pesticide and Plant Pest Management Division, distributed and reviewed draft MDA Orchard Removal Decision Criteria. The proposed Orchard/Vineyard Removal Decision Criteria is as follows:

Due to the insect and disease threats that neglected orchards and vineyards cause to neighboring producers, it may be necessary to cause their removal. Authority for such removal is provided for in Act 72, PA of 1947, as amended.

Removal shall be subject to the following:

- 1. Another landowner, orchard operator, or other impacted person has filed a complaint with the Michigan Department of Agriculture (MDA).*
- 2. Orchard/vineyard has not been managed to effectively control pests for at least one year.*
- 3. The unmanaged orchard/vineyard poses a risk to neighboring orchards based on distance criteria developed by Michigan State University Extension (MSUE).*
- 4. MDA will work cooperatively with MSUE or a commodity group representative to assure that the removal is necessary and appropriate.*
- 5. A letter is sent by MDA to the landowner indicating the problem and the need to properly manage the orchard/vineyard or remove it. It is MDA's position that it is the landowner's responsibility to eliminate pest risk on their property that may spread to adjoining or nearby properties.*
- 6. If there is a need for assistance to help remove the orchard/vineyard, MDA will work with the landowner. If it is determined that the removal of the orchard/vineyard is required, MDA will proceed with the removal and may place a lien for the cost of removal against the property.*

MOTION: COMMISSIONER TATTER MOVED TO APPROVE THE ORCHARD/VINEYARD REMOVAL DECISION CRITERIA AS PRESENTED. SECONDED.

Discussion: Chair Maitland recommended revising Item 2 to read:
"Orchard/vineyard has not been managed to effectively control identified pests."

This suggestion was acceptable to Mr. Rauscher and he will now include that suggestion in the final version.

MOTION CARRIED UNANIMOUSLY.

DIRECTOR'S REPORT: Dan Wyant

Director Wyant highlighted the following department issues:

Environmental Assurance Program: MDA has signed a partnership agreement with the Michigan Farm Bureau and MSU, MDEQ and USDA.

Food Safety: The Food and Dairy Division continues to work on implementation of and education for the Food Code Law.

Fireblight: MDA continues to work on obtaining assistance for producers affected by fireblight. Director Wyant toured Southwest Michigan and met with producers.

Legislative Issues: The Drain Code legislation did not pass the Legislature. The Animal Health Diagnostic Laboratory funding passed the House and is currently in the Senate.

Michigan State Fair: MDA is working on solving the deficit problems by implementing goals and criteria.

PUBLIC COMMENT:

Fred Leitz of Berrien County, Michigan, said that fireblight is a serious problem in Southwest Michigan. Fruit and vegetable farming is a full-time, year-round occupation. Mr. Leitz suggested that the same amount of money and time spent on the bovine tuberculosis problem be spent on the fireblight problem. This will not be a one-year issue.

Mr. Leitz appreciated the action taken on the Orchard Removal program.

Director Wyant said that MDA recognizes the seriousness of the fireblight problem. MDA will assist farmers with the fireblight issue.

Commissioner Tatter said a fireblight seminar would be held on December 19, 2000, at 1:00 p.m., at the Southwest Michigan Research Extension Center.

Ron Nelson of the Michigan Farm Bureau welcomed the Commission to the Michigan Farm Bureau's annual meeting. He noted that the members enjoy the opportunity to meet informally with the Commissioners.

He appreciated the Commission's action on the bovine tuberculosis eradication assistance program for producers. He also expressed appreciation to Director Wyant for his efforts in moving forward the Animal Health Diagnostic Laboratory at MSU.

ADJOURN

MOTION: COMMISSIONER STAMP MOVED TO ADJOURN THE MEETING AT 5:16 P.M. SECONDED. MOTION CARRIED UNANIMOUSLY.

ATTACHMENTS:

The following documentation is on file in the Commission of Agriculture office and is available upon request:

Attachment A	Commission of Agriculture November 1-2, 2000 Meeting Minutes
Attachment B	Information on Bovine Tuberculosis
Attachment C	Bovine Tuberculosis Eradication Assistance Program
Attachment D	Information regarding the Establishment of a High Risk Area
Attachment E	Letter from Representative Dale Sheltrown regarding High Risk Area Designation
Attachment F	Information on TB Surveillance Activities
Attachment G	Rate Schedule for Rental of Buildings and Grounds at the U.P. State Fair
Attachment H	Information to Revise Rules Pursuant to PA 164 of 2000 (Horse Racing Law)
Attachment I	Commission of Agriculture 2001 Meeting Schedule
Attachment J	Generally Accepted Agricultural and Management Practices for Nutrient Utilization
Attachment K	Generally Accepted Agricultural and Management Practices for Manure Management and Utilization
Attachment L	Generally Accepted Agricultural and Management Practices for Pesticide Utilization and Pest Control
Attachment M	Julian/Stille Value-Added Act (PA 322 of 2000)
Attachment N	Regulation 636 (Pesticide Applicators Amendments)
Attachment O	Michigan Organics Product Act (PA 316 of 2000)
Attachment P	MDA Orchard Removal Decision Criteria
Attachment Q	Director's Report – December 2000